

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**JEFFERY B. JONES,**

**Plaintiff,**

**v.**

**JURISDICTION SYSTEM, et al.,**

**Defendants.**

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**Civil Action No. 3:06-cv-00178-MEF-DRB**

**ANSWER**

COME NOW Sheriff Jay Jones, Major Cary Torbert, Jr., Lieutenant Corey Welch, Sergeant Rodney Tabb, Nurse Linda Stewart, and Nurse Kelley Griffith, Defendants in the above-styled cause, and answer the Plaintiff's Complaint as follows:

**Answer**

The Defendants in this action deny each and every allegation made by the Plaintiff, Jeffery B. Jones, and demand strict proof thereof. The Defendants deny that they acted, or caused anyone to act, in such a manner so as to deprive the Plaintiff of his constitutional rights.

**Affirmative Defenses**

1. The Plaintiff's Complaint, separately and severally, fails to state a claim upon which relief may be granted.
2. The Defendants in this action, in their individual capacities, are entitled to qualified immunity from the Plaintiff's claims.
3. The Plaintiff has failed to meet the Eleventh Circuit's heightened pleading standard.

4. The Defendants in this matter, in their official capacities, are entitled to absolute immunity from the Plaintiff's claims pursuant to the Eleventh Amendment to the United States Constitution.

5. The Defendants in their official capacities are not "persons" under 42 U.S.C. § 1983.

6. The Plaintiff's claims are barred by the Prison Litigation Reform Act because he has failed to exhaust available administrative remedies and because he has not suffered an injury that is greater than de minimus.

7. The Plaintiff fails to allege any affirmative causal link between the alleged acts of Defendants and any alleged constitutional deprivation or Defendants' direct participation in any alleged constitutional violation.

8. The Defendants are not liable based upon *respondeat superior* theories of liability.

9. The Plaintiff cannot prove a violation of his rights under the Eighth or Fourteenth Amendments to the United States Constitution.

10. The Defendants were not deliberately indifferent in any respect.

11. The Defendants have no authority to release the Plaintiff from the Lee County Detention Facility. Further, this request for relief is barred by the dictates of Heck v. Humphrey, 512 U.S. 477, 486-87 (1994). Finally, this request for relief is barred due to the Defendants' entitlement to absolute quasi-judicial immunity.

12. The Plaintiff lacks standing to pursue certain claims.

13. Defendants reserve the right to add additional defenses upon a complete investigation of Plaintiff's claims, completion of any discovery allowed, and if any further pleading is required or allowed by the Court.

Respectfully submitted this 19th day of June, 2006.

**s/Amanda Kay Morgan**  
AMANDA KAY MORGAN, Bar No. ALL079  
Attorney for Defendants  
WEBB & ELEY, P.C.  
7475 Halcyon Pointe Drive (36117)  
Post Office Box 240909  
Montgomery, Alabama 36124  
Telephone: (334) 262-1850  
Fax: (334) 262-1889  
E-mail: amorgan@webbeley.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 19th day of June, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Jeffery B. Jones  
Lee County Detention Center  
P. O. Box 3508  
Opelika, AL 36801

**s/Amanda Kay Morgan**  
OF COUNSEL